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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,703	11/01/1999	STEVEN W. BROWN	ZAY-99-029	9101

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JONATHAN VELASCO
SIERRA PATENT GROUP LTD
P O BOX 6149
STATELINE, NV 89449

EXAMINER

PARK, ILWOO

ART UNIT PAPER NUMBER

2182

DATE MAILED: 04/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten signature/initials

Office Action Summary

Application No.

09/431,703

Applicant(s)

BROWN, STEVEN W.

Examiner

Ilwoo Park

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-9 are presented for examination.

Specification

2. The disclosure is objected to because of the following informalities: each of module in page 6, lines 11-17 needs to be replaced with node and the reference numeral 40 in page 12, line 7 needs to be replaced with 40c.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Baugher et al., US patent No. 5,640,595.

As to claim 1, Baugher et al teach a method for configuring link drivers [network device drivers] for at least one link device [network adapters] in a serial bus device comprising:

a) querying [col. 8, line 56-col. 9, line 11] said link device for its capabilities [col. 11, lines 39-41; col. 11, lines 55-63];

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- b) receiving [col. 10, lines 66-67] said capabilities of said link device;
- c) generating [col. 9, lines 10-12; col. 11, lines 26-28] link driver configuration for said link device from said capabilities of said link device; and
- d) communicating [col. 9, lines 8-10; col. 13, lines 28-35] said driver configuration to said link device, for configuration therein [col. 8, lines 45-47].

5. As to claim 2, Baugher et al teach receiving [col. 11, lines 7-9] user-defined configuration data for said link device before said generating link driver configuration, wherein said generating link driver configuration further uses said user-defined configuration data.

6. As to claim 4, Baugher et al teach a method for configuring link drivers [network device drivers] for a plurality of link devices [col. 11, lines 9-13] in a serial bus device comprising:

- a) querying [col. 8, line 56-col. 9, line 11] each said link device for its capabilities [col. 11, lines 39-41; col. 11, lines 55-63];
- b) receiving [col. 10, lines 66-67] said capabilities of each said link device;
- c) generating [col. 9, lines 10-12; col. 11, lines 26-28] link driver configuration for each said link device from said capabilities of each said link device; and
- d) communicating [col. 9, lines 8-10; col. 13, lines 28-35] corresponding driver configuration to each said link device, for configuration therein [col. 8, lines 45-47].

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7. As to claim 5, Baugher et al teach receiving [col. 11, lines 7-9] user-defined configuration data for each said link device before said generating link driver configuration, wherein said generating link driver configuration further uses said user-defined configuration data.

8. As to claims 6 and 7, Baugher et al also teach a program storage device readable by a machine, tangibly embodying a program [col. 8, lines 42-44] of instruction executable by the machine to perform the method as set forth in claims 1 and 2.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

9. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Hake et al., US patent No. 6,247,083.

As to claim 8, Hake et al teach an apparatus that supports multiple link driver device configuration [col. 1, lines 54-56; comprising:

- a) transaction layer software unit [col. 1, lines 37-40] operating in a serial bus device; and
- b) at least one link layer service unit [link layer ICs] operatively coupled [fig. 2] to said transaction layer software, said transaction layer software unit configured to ascertain capabilities [col. 1, lines 54-56; col. 2, lines 30-36; col. 4, lines 19-23; col. 4, lines 29-30] of said link layer service unit and to provide link driver configuration for said link layer service unit based on said capabilities.

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Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baugher et al as applied to claim 1 above, and further in view of Hake et al., US patent No. 6,247,083.

As to claim 3, even though Baugher et al teach the serial bus device for adapting a variety of network [e.g., token ring, ethernet, FDDI, etc. in col. 11, lines 58-61] for multimedia application [col. 2, line 64-col. 3, line 4], Baugher et al do not teach the serial bus device adapting IEEE Standard 1394. Hake et al teach a serial bus device is a IEEE Standard 1394 device [IEEE 1394 bus node: abstract].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the Hake et al's teaching of a IEEE Standard 1394 device for the serial bus device in order to increase bandwidth [Hake et al: col. 1, lines 15-19] of Baugher et al's system.

12. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hake et al as applied to claim 8 above, and further in view of Baugher et al., US patent No. 5,640,595.

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As to claim 9, Hake et al do not teach said transaction layer software unit configured to ascertain user-defined configuration data for said link service unit and to provide link driver configuration for said link layer service unit based on said capabilities and said user-defined configuration data.

Baughner et al teach ascertaining [col. 14, lines 42-64] user-defined configuration data for said link service unit and to provide link driver configuration for said link layer service unit based on said capabilities and said user-defined configuration data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hake et al and Baughner et al because they both teach link driver configuration based on capabilities [see above rejections for claims 1 and 8] and the Hake et al's teaching of ascertaining user-defined configuration data for said link service unit and to provide link driver configuration for said link layer service unit based on said capabilities and said user-defined configuration data would increase user friendliness in the configuration.

Conclusion

13. Any inquiry concerning this communication should be directed to Ilwoo Park, whose telephone number is (703) 308-7811 or via e-mail, ilwoo.park@uspto.gov. The Examiner can normally be reached Monday through Friday from 9:00 AM to 5:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Jeffrey A. Gaffin, can be reached at (703) 308-3301.

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Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7239 (for formal communications intended for entry),

(703) 746-7238 (for after-final communications),

or:

(703) 746-7240 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist)


Ilwoo Park

March 26, 2002